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TELEPHONE (972) 628-3600

FACSIMILE (972) 628-3616

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To: U.S. Patent and Trademark Office
Examiner David M. Shay Fax: (571) 273-8300

From: William A. Munck, Esq. Time: 4:30 P.M.

Date: December 12, 2007 Client/Matter: PRES06-00163

THIS FAX CONSISTS OF 4 PAGE(S) (INCLUDING THIS COVER SHEET).
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U.S. Serial No. 09/556,143 filed April 21, 2000

Art Unit 3735

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ATTORNEY DOCKET NO. PRES06-00163
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : Ronald A. Schachar
U.S. Serial No. : 09/556,143
Filing Date : April 21, 2000
Title : SEGMENTED SCLERAL BAND FOR TREATMENT
OF PRESBYOPIA AND OTHER EYE DISORDERS
Group Art Unit : 3735
Examiner : David M. Shay

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION BY FACSIMILE

Sir:

The undersigned hereby certifies that the following documents:

1. Interview Summary

relating to the above application was faxed to (571) 273-8300 on December 12, 2007.

Date: Dec 12, 2007

Kathy Hamilton

Faxer

Date: Dec 12, 2007

William A. Munck

Reg. No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@munckbutrus.com

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INTERVIEW SUMMARY

The Applicant's representative (David M. Doyle, Reg. No. 43,596) spoke with Examiner David Shay on December 12, 2007 on behalf of the undersigned counsel regarding the above-identified patent application.

The Applicant submitted amendments to Claim 54 on February 15, 2007 in response to a final Office Action. Examiner Shay refused to enter the amendments, and a Request for Continued Examination (including the same amendments) was filed on April 12, 2007.

DOCKET NO. PRES06-00163
SERIAL NO. 09/556,143
PATENT

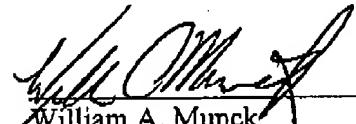
Because of this, the Office Action dated June 29, 2007 should have contained a "non-final" rejection of the claims. Instead, the Office Action dated June 29, 2007 contained a "final" rejection of the claims.

Examiner Shay acknowledged that the "final" rejection of the claims in the Office Action dated June 29, 2007 was erroneous and should have been a "non-final" rejection. Examiner Shay also agreed that a subsequent Office Action in this application should issue in due course in reply to the Applicant's response filed on August 28, 2007. In addition, Examiner Shay acknowledged that the application would not go abandoned because the Applicant filed a timely response on August 28, 2007.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date: Dec 12, 2007



William A. Munck
Registration No. 39,308

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: wmunck@munckbutrus.com